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3.5(c)

4 February 1977

NOTE FOR: Acting Director

1. Attached is a memorandum from Bob Gates of the Center for Policy Support on an interdepartmental meeting convened by Dr. Brzezinski and Jessica Tuchman, NSC Staff Member for Global Issues, pertaining to promoting the human rights in fulfillment of President Carter's stated desires in this area. A State Department representative advised that Secretary Vance would recommend reduction of FY 78 FMS to Argentina by 50 percent and similar sanctions against Uruguay and Ethiopia. State reps added that this would be kind of a weak signal, as aid was being cut to Uruguay and Ethiopia primarily for other reasons; therefore, Argentina would be the only one out of 79 "sinner" countries to suffer. Brzezinski did not like that. Other State reps urged early U.S. ratification of the UN Genocide Treaty and International Covenants on Human Rights. Ms. Tuchman indicated the President was going to go "all out" to repeal the Byrd Amendment, but had not determined his position on the Jackson/Vanik Amendment, the unintended results of which have disillusioned Congress. Participants were concerned because of our apparent double standard between Communist and non-Communist countries in human rights matters. No tasks were assigned at the meeting; however, a PRM will be issued shortly directing both the immediate examination of actions the Administration can take to show its intentions in this field and a long range study reviewing the complexities of this problem and suggesting policy options.

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3 February 1977

MEMORANDUM FOR: E. H. Knoche
Acting Director of Central Intelligence
Sayre Stevens
Deputy Director for Intelligence
William Wells
Deputy Director for Operations

THROUGH : H. F. Hutchinson, Jr.
Acting Director, Center for Policy Support

FROM : Robert Gates
Soviet and East European Affairs, Center for Policy Support

SUBJECT : Brzezinski Meeting on Human Rights

Summary

1. Dr. Brzezinski and Jessica Tuchman, NSC Staff Member for Global Issues, convened an interdepartmental meeting on 2 February to discuss translating the President's commitment to promoting human rights abroad into "consistent and responsible" action. A list of participants is attached. In his opening remarks, Brzezinski referred to recent "complications" (the State Department pronouncements on Czechoslovakia and the USSR), but said that the President specifically told Soviet Ambassador Dobrynin last week that the US would be raising such issues again in the future.

2. After lengthy discussion, summarized below, the following major points emerged:

--A Presidential Review Memorandum concerning human rights probably will be issued this week. It will direct an examination of immediate actions the Administration can take to signal its intentions to the Congress and foreign states with respect to human rights and foreign policy, and will call for a longer range study reviewing all the issues, complications and options relating to human rights considerations and measures in framing US foreign policy. 3.5(c)

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The first part of the study will have a very short deadline, probably next week. The second will be due in March or April.

--No tasks were assigned at the meeting pending issuance of the PRM. While State, Commerce and Treasury will have the leading role in responding to both parts of the PRM, CIA probably will have a part to play primarily in the longer range study.

--Following the meeting, Dr. Tuchman indicated to me that, at the outset, the Agency might give attention in its reporting to human rights problems and conditions abroad and probably will have a role in the PRM and other interagency forums in analyzing the effectiveness of measures under consideration or already taken. She admitted that a clearer role probably will emerge as the Administration's policy develops.

--Tuchman said that the importance the White House attaches to the human rights question abroad is demonstrated by the President's designation of Brzezinski as the White House contact on foreign human rights questions, a position filled in recent years by domestic advisers such as David Lissy, Myron Kuropas and Leonard Garment.

--Brzezinski told the participants that similar interagency meetings are likely to be called in the future for discussion of human rights issues and US policy. (It would seem appropriate for CIA to designate a senior officer to serve as the Agency's representative at these meetings, and to coordinate Agency participation in preparation of the PRM and subsequent intelligence support.)

The Discussion

3. Discussion at the meeting centered on three problems: how to proceed organizationally, signals to the Congress versus effective action abroad in promoting human rights, and the necessity of making a distinction in our human rights policy between Communist and non-Communist states.

How to Proceed

4. A key consideration determining the need for prompt action is that final decisions on the FY 78 FMS (foreign military sales) budget--the most convenient and obvious means to signal both the Congress and foreign countries of Administration intentions vis-a-vis human rights--must be made within

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two weeks. Therefore, there was general agreement that any study must involve examination both of short-term options and a longer-range, comprehensive review of the problem. Brzezinski and Tuchman left us with the impression that a PRM will be issued in a day or so calling for proposed options for action within five to ten days. The PRM will also call for a longer range study of the problem to be due later in the spring.

Signals to Congress Versus Effective Action Abroad

5. This subject dominated the meeting, with the NSC Staff more concerned for the near term with signalling the Congress of serious Administration intentions than with effective action abroad. The most obvious means proposed to send such signals immediately is to cut the FY 78 FMS budgets of offending countries, although Brzezinski was interested in other options. State informed the other participants that Secretary Vance has decided, on the basis of human rights considerations, to recommend reduction of FY 78 FMS to Argentina by 50 percent, elimination of FMS assistance to Uruguay, and elimination of MAP to Ethiopia. He did not cut Zaire or Korea, the latter because it will be severely attacked by so many others. The Department of State participants added, however, that this represents a very weak signal inasmuch as only one country--Argentina--out of 79 reported "sinners" is being cut. (Uruguay had already been tapped for loss of FMS and Chile had earlier been cut; other considerations as well as human rights influenced the decision on Ethiopia.)

6. Brzezinski said he was uneasy about singling out one or two countries for cuts. A State Department participant expressed particular concern that Latin America is being singled out because there are so few conflicting US interests and the decision therefore seems easy. Several participants pointed out that FMS cuts would have little effect in the countries concerned and, in fact, could prove counterproductive--for example, in Korea. Others expressed concern that cutting FMS would neither satisfy the Congress nor be effective abroad.

7. The NSC representatives asked for options other than cutting FMS to demonstrate our concern for human rights and there was some discussion of juggling PL-480

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funds, economic assistance and multilateral initiatives. Representatives from State and the US Mission to the UN urged a serious effort to obtain US ratification of the Genocide Treaty and the International Covenants on Human Rights, as well as repeal or amendment of the Byrd Amendment. These, they argued, would be effective, early signals to the Congress that would buy time for study of the problem and US options in a rational way. It was agreed that the PRM would address these and other possible options.

Human Rights Policy Toward Communist Versus Non-Communist States

8. The NSC Staff was concerned about the existence of a double standard in US human rights policy between Communist and non-Communist countries--i.e., that we take firm action against non-Communist countries while merely tut-tutting Communist states. The State Department participants asserted that, in fact, there is no pressure from the Congress to have a single approach to both Communist and non-Communist countries and that there is recognition on the Hill of the existence of a double standard. State contended that public pressure or actions against the USSR would doom to failure efforts to promote human rights there. Kempton Jenkins, Acting Assistant Secretary of State for Congressional Relations, added that there is considerable disenchantment in the Congress with the Jackson/Vanik Amendment and a desire to find a way out of the problems it has created. (Tuchman noted that the President has made no decision whether to break with the Jackson/Vanik Amendment, although he has decided to go "all-out" on the Byrd Amendment.) The discussion of this aspect of the human rights problem closed on an inconclusive note.

ATTACHMENT: h/w

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PARTICIPANTS

INFORMAL INTERAGENCY MEETING ON

HUMAN RIGHTS

February 2, 1977

NSC

Dr. Zbigniew Brzezinski
Dr. Jessica Tuchman
Capt. Robert Kimmitt

OMB

Edward Sanders, Deputy Associate Director for International Affairs

STATE

Denis Lamb, Executive Assistant in the Deputy Secretary's Office
Richard Ericson, Deputy Director Politico-Military Affairs
Kempton Jenkins, Acting Assistant Secretary for Congressional Relations
Sandra Vogelgesang, Member Policy Planning Staff
James Lawenstein, Deputy Assistant Secretary for European Affairs
William Leurs, Deputy Assistant Secretary, Inter-American Affairs
Ernest Preeg, Deputy Assistant Secretary, International Finance and Development
Richard Holbrook, Assistant Secretary of East Asian Affairs
Patricia Darrian, Prospective Candidate for Coordinator for Human Rights and Humanitarian Affairs
William Gleysteen, Deputy Assistant Secretary for East Asian and Pacific Affairs
James M. Wilson, Ccordinator for Human Rights and Humanitarian Affrs.
Capt. James M. Patton, Member Policy Planning Staff
Ann Holloway, IO

TREASURY

Fred Bergsten, Assistant Secretary Designate for International Affrs.
Dick Erb, Deputy Assistant Secretary for Developing Nations

COMMERCE

Frank Weil, Assistant Secretary Designate for Domestic & International Business
Arthur Downey, Deputy Assistant Secretary for East-West Trade
Charles L. Haslam, General Counsel Designate

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CIA

Dr. Robert Gates, Center for Policy Support

DEFENSE

Brig. Gen. James M. Thompson, Office of Policy Plans, ISA

JCS

Rear Admiral Samuel H. Packer
Col. Edwin M. Anderson

AID

Philip Birnbaum, Assistant Administrator for Programs and Policy

USIA

Walter Bastian, Deputy Director for Policy & Plans

UN

Brady Tyson

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